

**THE EPA REGION 2  
ENVIRONMENTAL JUSTICE  
ACTION PLAN FOR  
FISCAL YEARS 2004 AND 2005**

**March 5, 2004**

## TABLE OF CONTENTS

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	<b>Page</b>
Executive Summary	2
Environmental Justice Strategies and Activities (Narrative Responses)	4
Environmental Justice Strategies and Activities (Matrix)	29
Appendices	
(1) Region 2 EJ Action Plan Reference Documents	
(2) Environmental Justice Workgroup Members and EJ Divisional Contacts	

## EXECUTIVE SUMMARY

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The EPA, Region 2's Environmental Justice program is administered within the Office of the Regional Administrator, thus highlighting its significance and value to our employees and stakeholders alike. Along with a host of truly committed and dedicated managers and staff, we continually strive to maximize our resources so as to ensure no communities bear a disproportionate burden from the effects of environmental pollution. We earnestly believe, and are proud, these investments have paid dividends towards fostering more robust and effective relationships with the public, our state regulatory partners, and the regulated business communities on issues of environmental justice.

Over the past decade, the Agency indeed has made significant strides and contributions in the advancement of environmental justice (EJ). This is particularly evident within Region 2, as we have initiated and developed our share of regional mechanisms to facilitate the integration of EJ within the organizational structure and our day-to-day activities. Currently, we have in effect an EJ policy statement as well as program-specific guidelines in which management and staff utilize to identify minority and low-income communities that may experience disproportionate environmental and/or health-related burdens. Further, these guidelines provide for opportunities to consider when addressing EJ concerns raised throughout the decision-making process. In conjunction with the policy, our staff employ a variety of approaches to promote EJ - i.e., through divisional EJ Implementation Plans; region-wide EJ training efforts; computer desktop GIS-based applications; program development; and the awarding of grants to local organizations that seek to promote and educate its residents on the issues of EJ issues impacting their communities. In addition to these policy and programmatic aspects, our organization enjoys a network of personnel that assist in the integration of environmental justice by serving on several prominent national/regional groups - e.g., the Region 2 EJ Work Group and Divisional EJ subgroups, the National EJ Training Collaborative, and Agency workgroups focused on incorporating EJ in permit writing and webification of GIS-based applications on the Internet for public access to demographic and environmental data.

While our EJ program encompasses many elements, we continue to seek opportunities to advance EJ through regional initiatives. For example, the Region's involvement in the Clean School Bus USA initiative is a direct measure in addressing the widespread and prevalent child asthma cases within the minority and low-income communities of New York and New Jersey urban centers. The long-term benefits of which will result in lower diesel emissions, the removal of older bus fleets, and reductions in school bus idling times during periods of operation. Similar initiatives are underway in other areas - e.g., to formulate strategies to address elevated blood lead levels exhibited by youngsters residing in many of the older urban housing stock; and launching an extensive lead outreach campaign in



collaboration with federal, state, and local partners involved in children's health issues. Forming such collaborative ventures among multi-governmental agencies and departments, allows for efficient leveraging of our collective resources, thus minimizing a duplication of efforts. EPA Region 2 will continue to focus our resources in developing initiatives and innovative approaches for the protection of the most vulnerable and sensitive of populations that may be at greater risk from the effects of environmental pollution.

While Region 2 continues to demonstrate its commitment to EJ, it also understands the importance of periodically assessing the effectiveness of measures aimed at promoting the integration of environmental justice within our day-to-day activities. During fiscal year 2003, we began the process of revisiting our divisional EJ implementation plans in order to align them with the practical knowledge gained through the experience of *best practices* and *lessons learned* from prior years of EJ program involvement. In 2004, we will gauge the EJ policy and guidance to ensure they are properly aligned with the goals and objectives of the regional and national strategic plans. Additionally, the Region will continue to seek local/state government as well as



assistance from local college/universities in co-sponsoring EJ community dialogue sessions so as to leverage the expertise, resources and localized community recognition these institutions bring towards fostering open communication with the public. A prime example of the success from such a collaborative effort was apparent during an EJ community dialogue event held in St. Croix at the University of the Virgin Islands, in which active audience participation provided critical information to government officials towards identifying the myriad of

localized air, water, sewer, and solid waste issues deemed most relevant to community residents. In regards to fostering effective relationships with our 7 federally-recognized tribal nations, each year a multi-day conference is convened involving each respective tribal leader and Region 2 senior management to discuss specific environmental issues, as well as environmental protection of the Indian nation lands and development of the Indian nations environmental capacity. Lastly, the Region continues to sponsor and support the activities of the Puerto Rico Subcommittee of NEJAC, which is a federal advisory group composed of a multi-faceted panel that provides advice and recommendations to EPA Region 2 on environmental justice issues in the Commonwealth of Puerto Rico.

In closing, we welcome you to read EPA Region 2's Environmental Justice Action Plan for Fiscal Years 2004 and 2005. We hope that you will take away from this document a greater understanding of how the principles of environmental justice are interwoven into our regional organization, its fabric and its programs, the proactive stance we undertake with respect to engaging our external stakeholders, and the system of measures we employ to evaluate and assess our effectiveness in fully integrating environmental justice.

**EPA Region 2  
Environmental Justice  
Strategies and Activities  
  
(Narrative Responses)**

## **MANAGEMENT ACCOUNTABILITY**

### **Organizational infrastructure and management support:**

- *What is your Regional/Headquarters office's environmental justice policy?*

EPA Region 2 is committed to providing equal protection to all communities within its jurisdiction. Accordingly, the Region continues to incorporate the principles and tenets of environmental justice (EJ) into its managerial and programmatic activities. The EPA Region 2 Interim EJ Policy serves as an instrument for managers and staff to identify, target, and be responsive to EJ concerns raised by segments of the population that may experience disproportionately high and adverse human health and environmental burdens. The document is comprised of a regional EJ policy statement along with the following set of guidelines: (1) Conducting EJ Analyses; (2) EJ and Permitting; EJ and Enforcement; (3) EJ and Community Involvement; and (4) EJ and the EPA Superfund Program. By implementing the Interim EJ Policy document, the Region positions itself towards ensuring its communities and stakeholders will receive equal protection and move towards liveable, sustainable communities. To view the EPA Region 2 Interim EJ Policy document in its entirety, it can be accessed at the following website: <http://www.epa.gov/region02/community/ej/poltoc.htm>

## **MANAGEMENT ACCOUNTABILITY**

### **Organizational infrastructure and management support:**

- *How will your organizational structure promote the integration of environmental justice within all program areas?*

The current organizational structure fully promotes the integration of environmental justice policies, plans, and activities into each of our programmatic areas. The fact that the Region 2 Environmental Justice Coordinator is supervised directly by the Deputy Regional Administrator, and is positioned within the Office of the Regional Administrator emphasizes the importance Region 2's management places on achieving environmental justice within our jurisdiction. With respect to the overall network of regional staff involved in communicating environmental justice program activities, a description of each is provided below.

In 1994, the Region created the position of Environmental Justice Coordinator. The primary function of the EJ Coordinator position is to provide advice, counsel, analysis and assistance to the Region's Senior Management Team officials, including the Regional Administrator, on EJ-related policy matters in the Region. Included within the duties and responsibilities of the EJ Coordinator position is: the management of the Environmental Justice Small Grants program; development of regional EJ training materials; dissemination of EJ-related information and documents via internal electronic media and the Internet; creation of computer applications aimed toward identifying potential EJ communities; participation at meetings and events as the Region's EJ representative. Further, the EJ Coordinator serves as the chair of Region 2's Environmental Justice Workgroup.

The Regional EJ Workgroup (REJWG), as established in 1994 by Regional Order R-4700.6, assists the EJ Coordinator by having its membership operate under the dual function of providing programmatic and divisional activities to the Regional EJ Coordinator as well as disseminating information and activities of national and/or regional significance to their respective offices. The operation of this regional membership allows for cross-communication of EJ-related activities among the varying levels within the organization. Regarding membership selection, each Division Director appoints, at minimum annually, 1 to 3 individuals to serve on the REJWG. In addition to providing assistance to the EJ Coordinator in accomplishing his/her duties, the REJWG monitors the region's progress in achieving the Agency's environmental justice goals. As described in the REJWG Order, the framework and activities of this group encompass six general areas: Data Collection /Verification/Assessment; Leadership; Coordination; Outreach; Communication/Reporting; and Project Implementation. For a listing of current membership in Region 2's REJWG, see Attachment 2 of this document.

In addition, each Region 2 Division has established an EJ subgroup. Comprised of divisional management and staff, these workgroups focus their efforts by assisting their respective REJWG members on specific tasks and projects requiring a greater degree of technical and/or programmatic input.

Through the utilization of the Region's EJ policy and guidelines, the EJ Action Plan, Divisional EJ Implementation plans, and the network of management and staff communicating and supporting EJ activities, Region 2 will position itself to promote the integration of environmental justice within its day-to-day activities.

## **MANAGEMENT ACCOUNTABILITY**

### **Organizational infrastructure and management support:**

- *How will your Regional/Headquarters office's management communicate expectations about the Environmental Justice Program, review tangible/intangible outcomes, and evaluate performance?*

As the Environmental Justice Coordinator serves as the primary focal point to the Regional Administrator and Deputy Regional Administrator concerning the Region's Environmental Justice Program, frequent meetings are held in the Office of the Regional Administrator to discuss significant EJ activities/actions as well as the overall performance of the program. These meetings are normally conducted on a weekly basis. Also, the EJ Coordinator participates at the weekly Senior Management Team (SMT) meeting in which EJ-related efforts are elevated and further discussed. The SMT participants include the Regional Administrator, Deputy Regional Administrator, Chief of Staff, and Division Directors.

In addition to the above avenues of communication among senior managers, the Region embarked several years ago in developing environmental justice operating plans. In October

1994, the Region established a formal Environmental Justice Operating Plan (EJOP). The purpose of which was to establish a framework for regional response actions to environmental justice situations. The plan was intended to help build a solid long-term EJ program in Region 2 by identifying the critical EJ themes to be addressed. The present Region's EJOP identifies the following six key EJ themes: definitions and research tools; policy and resources; program operations; enforcement; staff awareness; and outreach. For each theme, goals and relative objectives were identified. For most activities listed, the EJOP identified target completion dates. The EJOP was intended to serve as a living document, to be updated regularly, preferably on an annual basis. Further, implementation of the EJOP would serve to assist management in tracking progress in addressing key regional EJ issues.

Upon approval of the EJOP, the Regional Administrator issued concurrently a memorandum to senior management officials challenging them to demonstrate their commitment to the principle of environmental justice. To this end, each regional Division, was tasked to incorporate EJ activities in their respective annual workplans and to further develop their own EJ Divisional Plans. To assist in this endeavor, the REJWG developed a Model EJ Divisional Plan, whereby its design was to help identify mechanisms for incorporating EJ into divisional activities. As identified, the five major areas to focus divisional EJ resources were in the areas of: permitting, outreach and public involvement, enforcement/corrective action, oversight and grants. Further activities provided for in the Model EJ Plan included those outside of regulatory program activities - e.g., exploring opportunities for partnerships with local governments and universities to educate/empower communities; exploring the creation of public/private partnerships to address site-specific EJ concerns; funding/providing training to community groups including access to GIS; develop partnerships with external groups to investigate means to ensure sustainable community development. The finalization of each Region 2 divisional EJ plan occurred in 1996. In this regard, the goals/objectives/activities of each divisional EJ plan (as well as program workplans) would be shaped by the formal regional policy. In this regard, the Region approved its environmental justice policy document in December 2000. For additional information on the Region's Interim EJ Policy, please refer to the response for Question #1.

Following their implementation, it also became increasingly clear that a regional EJ policy was necessary for maintaining a consistent approach to resolving claims of environmental injustice, the Region forged ahead in the development of its own Interim Policy (see response to Question #1).

Alongside this tantamount effort, the Region remained vigilant in responding to EJ issues/inquires on a day-to-day basis. To this end, the Region developed a set of standard operating procedures (SOP) for handling EJ complaints on a day-to-day basis. As the number of citizen inquiries and complaints increased, it became apparent that a tracking system was necessary to monitor response actions. The Region's Environmental Justice Tracking System has, and continues to be managed by the Environmental Justice Coordinator to monitor/assess the status of regional responses to EJ inquiries. These documents proved useful toward properly managing an ever-emerging and cross-cutting program, namely, EJ.



To further strengthen its Environmental Justice program, the SMT incorporated several key action items within its regional strategic planning process. Embedded are several underscored activities, namely, the implementation of the Region's Interim EJ Policy; the processing and refinement of environmental and health-based data for inclusion within geographic information system (GIS) based mapping tools, the continuation of outreach efforts geared towards affected communities and towards governmental partners to increase awareness of the Agency's EJ priorities, and continuing to provide new EJ developments through training to regional managers and staff. In development of the Agency's new national strategic plan, environmental justice initiatives and activities are captured within Goal No. 4 (i.e., Healthy Communities and Ecosystems).

## **MANAGEMENT ACCOUNTABILITY**

### **Operational resources / program support:**

- *Identify the aggregate full-time equivalents (FTE) in your Regional/Headquarters office that will specifically focus on environmental justice issues. If responsibilities and duties are parceled out as collateral duties to one or more employees, please compute what the FTE equivalent would be.*

In Region 2, the Office of the Regional Administrator supports 2 FTEs (the Environmental Justice Coordinator and the Environmental Justice Assistant). In addition, each Division contributes "FTE's" to the EJ program by appointing individuals to serve on either the Regional EJ Workgroup or a divisional EJ subgroup. As there are varying degrees of personnel support identified by each Division, the overall regional "EJ" FTE amounts shift on an annual basis. Currently, the overall regional FTEs is 10.0. While there may be variations in FTE support throughout the fiscal year, it should be understood that EJ-related program activities and initiatives are fully supported by senior management with the appropriate number of personnel to accomplish the tasks and activities.

## **MANAGEMENT ACCOUNTABILITY**

### **Operational resources / program support:**

- *What are the functions and day-to-day responsibilities of your Environmental Justice coordinator(s) and/or team?*

The Environmental Justice Coordinator position is located in the Immediate Office of the Regional Administrator, reporting directly to the Deputy Regional Administrator. The EJ Coordinator renders advice and services with respect to questions, regulations, regional practices or other matters falling within the purview of environmental justice statute(s). The EJ Coordinator develops and implements region-wide cross program approaches for addressing environmental justice concerns and issues.

The major duties/responsibilities for the EJ Coordinator include:

- Researches questions which arise under regulations, lawsuits, enforcement actions, executive orders and other administrative actions involving environmental justice statute(s).
- Represents the Region in its dealings with outside parties concerned with environmental justice. Represents the Region in negotiating the settlement of disputed matters. In many cases, this avoids protracted and expensive litigation and facilitates expeditious administration of Agency programs.
- Participates with senior management in the development, implementation and evaluation of short-term and long-term plans to ensure that environmental justice is integrated and fully coordinated with the goals and objectives of the Region's programs.
- Plans, analyzes, and develops policy proposals for implementation of a comprehensive Environmental Justice Program. Identifies programmatic and operation matters impacting environmental justice concerns throughout the planning and execution phases of environmental program delivery, ranging from risk assessment to compliance and enforcement, education and outreach.
- Conducts reviews of on-going programs/initiatives and evaluates performance in relation to EJ program goals. Provides advisory and consultative services to program managers to examine and improve the capabilities of their infrastructure to ensure that environmental justice concerns are addressed. Recommends necessary program adjustments, where feasible and/or appropriate.
- Conducts internal reviews of program plans, policies, and operations. Investigates trends, conditions or impediments to the achievement of environmental justice throughout regional program operations. Develops comprehensive plans to correct deficiencies or strengthen program operations.
- Formulates program plans or changes to accommodate evolving needs, priorities and operations. This includes opportunities to participate in various intra and interagency policy implementation committees.
- Identifies and builds relationships with constituencies affected by environmental justice issues and develops a strategy to ensure appropriate input and representation in the Region's environmental planning process including enforcement, clean-up and monitoring activities.
- Meets with State and local government officials, non-profit and special interest

groups to discuss Environmental Justice issues and concerns, and establishes external advisory groups to provide continuity and consistency of programmatic input and representation. Enhances environmental justice outreach, training and education programs for public and other groups through conferences, symposia and meetings.

- Serves as the principal point of contact with the Headquarters Office of Environmental Justice and Office of General Counsel concerning environmental justice issues. Assesses regional resource needs, participates in annual workload model processes and budget development with respect to EJ concerns. Coordinates these efforts with the Office of Policy and Management.
- Serves as the Region's centralized clearing house and dissemination point for environmental justice information to EPA staff and the public. Develops information and coordination systems to review the Region's efforts and achievements, which includes analyzing and determining feasibility for implementation of recommendations made to senior managers.
- Serves as an environmental justice leader with representatives of the media programs to develop an appreciation of agency pollution prevention, clean up and regulatory activities and to help foster an increased sensitivity within these programs to environmental justice activities.
- Contributes to the development of environmental justice standards by performing research from a variety of sources including available literature, information and viewpoints that represent concerns of various civil rights groups, community leaders, and civic groups.
- Provides high level management advisory service to regional managers. Attends meetings and conducts continuing briefings to promote supervisory and management understanding of their responsibilities as it pertains to environmental justice.
- Chairs and directs the Region 2 Environmental Justice WorkGroup planning, organizing, and directing the team's work. Reports options, recommendations, and results to the RA, division directors, and/or Headquarters for consideration.
- Coordinates and implements the Region 2 Environmental Justice Small Grants Program. Provides advice and policy recommendations to managers of environmental justice grants. Establishes procedures for implementation of the application evaluation process in the region, determines the process, develops evaluation material, recruits and briefs EPA staff who review applications and guides the selection process to assure consistency with regional grant procedures

and national program goals.

## **MANAGEMENT ACCOUNTABILITY**

### **Operational resources / program support:**

- *Will your Regional/Headquarters office have any ongoing mechanisms for focusing on environmental justice issues, such as teams and workgroups? If yes, please list and describe. Also, state how these mechanisms are tied to other programs and activities in your regional/Headquarters office.*

In 1993, the Region 2 Environmental Justice Charter was established whereby the mission, scope of activities, structure and framework of operations for the Region's Environmental Justice WorkGroup was identified. Since the REJWG's formation, additional working groups have been formed, notably, divisional EJ subgroups. Comprised of divisional management and staff, these subgroups focus their efforts by assisting their respective REJWG members on specific tasks and projects requiring a greater degree of technical or programmatic input. Periodically, committees are formed within the REJWG to focus on key aspects of the EJ program - e.g., training, outreach, etc. In all, members from the Regional EJ Work Group and divisional EJ subgroups continue to serve as informational resources to their respective program managers and colleagues.

## **MANAGEMENT ACCOUNTABILITY**

### **Operational resources / program support:**

- *Are there any specific programs/initiatives for which environmental justice will be listed as a funding priority? If yes, please list or attach.*

The following EJ-related programs/initiatives are listed as meriting funding consideration.

- Regional Environmental Justice Community Dialogue ("EJ Listening Sessions") (Co-sponsorship: state, local governments, and/or academia. To be conducted for each state, individually, as well as major cities within respective states (TBD))
- National Environmental Justice Training Collaborative (EJTC) "Train-the-Trainer" session(s)
- National Environmental Justice Advisory Council (NEJAC) Puerto Rico Subcommittee
- New York State Department of Environmental Conservation's Environmental

Justice Advisory Council (to be determined allowable/eligible beyond existing STEJ Grant project scope)

- New Jersey Department of Environmental Protection's Environmental Equity Advisory Council (to be determined allowable/eligible beyond existing STEJ Grant project scope)
- Training Workshops on Community-based EPA Grants (EJ, EJP2, Brownfields, etc.)
- Posting of Internet-ready Regional EJ GIS applications
- Translation of pertinent EPA Region 2 generated documents for non-English speaking communities within Region 2's jurisdiction

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Major regional projects:

- **Hudson River PCB Clean-up**
- **Diesel School Bus Initiative**
- **NY/NJ Comprehensive Port Improvement Plan**
- **Lower Passaic River Restoration Project**
- **Investigation of Areas of Vieques, PR**

## **MANAGEMENT ACCOUNTABILITY**

### **GPRA alignment (link to mission and priorities):**

- *How will your Regional/Headquarters office's environmental justice program be linked to your Regional/Headquarters office's main GPRA priorities?*

Previously, the Region's (Strategic) Plan captured the topic of environmental justice as a cross-cutting goal. Further, the Plan referenced that the Region would strengthen its EJ program initiatives to better safeguard minority and low-income communities from disproportionately high and adverse environmental impacts. This goal was to be accomplished by employing the following strategy:

"Where disproportionately high and adverse impacts are found: we will exercise our enforcement and other authorities, in concert with our state and local partners, to address such impacts; and we will help such communities to (a) better understand how the Agency operates, (b) have increased opportunities for meaningful involvement in the decisions that affect their communities, (c) build their community's own capacity to address environmental problems, and (d) share public environmental information that is understandable and accessible.

Further, seven key action items were identified as the main focus of the Region's EJ efforts. These include:

- 1) finalizing and implementing the Interim policy on Environmental Justice that provides the region's managers and staff with a fair, systematic, and consistent approach to use in identifying and addressing minority and low-income communities that may suffer disproportionately high and adverse environmental impacts.
- 2) continuing efforts to process data and further refine the Environmental Load Profile (ELP) application, a geographic information systems (GIS) based mapping tool developed to implement the Region's Interim Policy and aid in identifying potential and actual EJ areas or communities.
- 3) continuing outreach efforts to affected EJ communities to assist them in identifying, prioritizing and addressing disproportionately high and adverse environmental impacts in their communities and where possible ensure that they are meaningfully involved in the Region's environmental decision-making that impacts their communities.
- 4) continuing outreach efforts to state, tribal and local government partners to increase their awareness of the importance of EJ and Title VI policies of the Agency, to encourage them to incorporate EJ into permitting programs and processes, and to assist them in development of their own EJ and Title VI programs.
- 5) continuing efforts to provide EJ training to Regional staff and managers to ensure that they are apprized of new developments in the Agency's Title VI and EJ policies and programs, and made aware of the importance of EJ as an Agency priority and are considering EJ in carrying out their programs' everyday responsibilities.
- 6) continuing efforts to enhance Region 2's Caribbean Environmental Protection Division capacity to address environmental justice concerns unique to Puerto Rico and to enhance relations between the Puerto Rico regulatory government agencies and the affected communities.
- 7) continuing the Environmental Justice and Environmental Justice Pollution Prevention grant programs, which are targeted to enhance EJ communities' abilities to identify, understand and address environmental issues affecting them.

Currently, we have undertaken the appropriate steps to align the above, as well as other, regional EJ-supported activities to the Agency's 2003 draft GPRA architecture. Further, these EJ-supported activities have been linked to the National Strategic Planning process under Goal No. 4 (Healthy Communities and Ecosystems), Sub-Objective 4.2.2.

## MANAGEMENT ACCOUNTABILITY

### GPRA alignment (link to mission and priorities):

- *How will your Regional/Headquarters office's environmental justice strategies and activities be integrated into specific programmatic areas/functions? (e.g., permitting, community outreach, etc.)*

While the Region's EJ Policy document establishes a set of guidelines for internal managers and staff to apply when addressing EJ concerns from a programmatic perspective (e.g. permitting), nevertheless, to solidify the regional EJ strategies on a day-to-day basis, requires the development and execution of program-specific (or divisional) EJ Implementation Plans. The first set of divisional EJ Plans, developed in 1996, were utilized to link internal programmatic functions with EJ-related activities into the Region's overall strategic plan. As these plans are meant to identify the "steps" towards incorporating EJ efforts into the be aligned with serve as have been not been updated recently, the Region is underway in reassessing each divisional EJ plan to properly link its efforts to current regional programmatic goals and objectives.

As previously iterated, the Region has embarked on conducting an assessment of its EJ program (i.e., EJ policy statement, EJ program guidelines, EJ Standard Operating Procedures, EJ Action Plan, Divisional EJ Implementation plans, EJ GIS-based tools, EJ Grants, and its Informational/Outreach efforts - including web-based applications) to ascertain the overall effectiveness of the EJ program, its organizational and programmatic linkages, and its alignment with the Agency's GPRA goals.

## MANAGEMENT ACCOUNTABILITY

### GPRA alignment (link to mission and priorities):

- *Will your Regional/Headquarters office utilize Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs) to specifically address environmental justice issues? If yes, please list and describe.*

The Region continues to utilize PPA/PPG mechanisms as an opportunity to elevate and address environmental justice issues on a state level. For example, during the development of the New Jersey Environmental Performance Partnership Agreement for Fiscal Years 2002-2004 between the Department of Environmental Protection (NJDEP) and EPA-Region 2, our management requested measures/activities the NJDEP would undertake with respect to the Goal of Open and Effective Government. In response, the NJDEP provided the following language as an objective:

*Ensure Environmental Equity (EE) in New Jersey. That is, the fair and equitable treatment in environmental decision-making of the citizens of all New Jersey communities regardless of race, color, income or national origin, and the assurance that no population will bear disproportionate amounts of adverse health and environmental effects.*

The Region continues to encourage New York, Puerto Rico, the Virgin Islands and the federally-recognized tribal nations to consider addressing EJ issues through its negotiated PPAs and PPGs.

#### **INTERNAL ORGANIZATIONAL ENGAGEMENT**

- *Will your Regional/Headquarters office's environmental justice program have any ongoing mechanisms to communicate with, receive input from, and otherwise consistently engage with other programs in your Regional/Headquarters office? If yes, please list and describe.*

The Region maintains several working groups to provide input, advice and assistance towards communicating issues involving environmental injustices.

#### **Office of the Regional Administrator**

The Deputy Regional Administrator and the Region 2 EJ Coordinator convene periodically to discuss significant EJ issues affecting the Region. Action items generated from these sessions are coordinated with all applicable SMT officials having responsibilities to the particular program-area involved.

#### **Regional Environmental Justice WorkGroup**

The Region 2 Environmental Justice Work Group serve as a nexus of program and policy information on environmental justice matters in the Region. On a monthly basis, meetings are chaired by the EJ Coordinator and agenda topics are followed. In addition to these monthly meetings, frequent one-on-one communication is maintained by members of the REJWG and the EJ Coordinator.

#### **Divisional EJ Subgroups**

Depending on the nature and extent of divisional staff involved in a particular EJ-related effort, divisional EJ subgroups are formed. Comprised of divisional management and staff, these groups focus their efforts by assisting their respective REJWG members on specific tasks and projects requiring a greater degree of technical and/or programmatic input. Information from these interactions are provided to internal divisional program management and to the regional EJ Coordinator (via the REJWG members)

#### **INTERNAL ORGANIZATIONAL ENGAGEMENT**

- *Will your Regional/Headquarters office develop any related guidance to the staff regarding the integration of environmental justice in areas such as authorization/delegation, environmental education, grants and contracts, inspection, enforcement and compliance assistance, permitting, performance partnership, public participation, waste site cleanup/brownfields, etc.? If yes, please list and describe.*



The Region's Interim Environmental Justice Policy document provides overarching guidelines for management and staff to utilize in responding to environmental justice concerns within the general areas of permitting, enforcement, community involvement as well as the Superfund program.

Further, each division has embarked on tailoring specific guidance, by using the Interim EJ Policy and existing Divisional EJ Implementation Plans as frameworks, for integrating EJ into each of the specific permitting programs (e.g., CWA, RCRA, CAA). We envision that the "lessons learned" from conducting EJ analyses as well as through interacting with the regulated and impacted communities, will serve to assist the Region in reshaping and tailoring its EJ program guidance.

Also, as EPA Region 2 staff actively participate and contribute to the development of program permit training modules aimed at incorporating EJ (i.e., the EJ Permit Writer's Work group, as managed by the Office of Environmental Justice) we believe the information provided will aid management and staff involved in the CWA, RCRA and CAA programs to consider opportunities that exist for addressing EJ issues through such permit actions (e.g., via "special conditions").

#### **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *Will your Regional/Headquarters office have any processes in place to receive input on environmental justice issues from external stakeholders, such as workgroups, advisory bodies, or listening sessions? If yes, please describe the process and explain how the input gathered may be (or has been) used by your Regional/Headquarters office.*

The Region utilizes several routes/mechanisms to receive input on EJ issues from external stakeholders. For instance, during the development of our EJ policy, the Region vigorously sought out comments and feedback from an external peer review panel, industry executives, academicians, as well as community residents. Through this engagement with external parties, the Region was compelled to revise its methodology in identifying potential EJ areas within its jurisdiction. The final Interim EJ policy of December 2000 is evident of this process as it significantly differed in the methodologies as referenced in the previous draft EJ policy of 1999.

In addition to seeking input in development of policy, we also engage the stakeholders through hosting community dialogue (a.k.a. EJ listening sessions) in our states. As a case in point, in March 2003, the Region co-sponsored along with the University of the Virgin Islands an EJ community dialogue session in St. Croix. The active participation and discourse by the audience members as well as expertise and assistance offered by EPA staffers proved to be a successful event for all parties involved. As a result of this interaction, Regional Administrator, Jane

Kenny, along with her staff have forged a stronger relationship with the residents of St. Croix and are better focused in identifying the relevant local EJ issues so as to maximize resources and efforts in that area. In October 2003, this very same effort resulted in the Region hosting a 2-day aquatic seminar, specifically designed to address and educate the public on the water-related issues generated from the March 2003 dialogue session.

Besides conducting community dialogues, we also have external groups that can provide advice and recommendations. The National Environmental Justice Advisory Council (NEJAC) Puerto Rico Subcommittee serves as a major contributor for providing advice and recommendations to the Region on environmental justice issues. This is noteworthy that Region 2 is the only EPA Regional Office to sponsor a NEJAC subcommittee (i.e. through annual budgetary allotments).

In addition, the New York State Department of Environmental Conservation's Environmental Justice Advisory Group and the New Jersey Department of Environmental Protection's Environmental Equity Advisory Council provide feedback to Region 2 on methods and applications regulatory departments may consider in addressing EJ. Information shared and collected through these committees and groups allow for Regional managers and staff to gain a greater understanding of local, state, and community EJ concerns.

Finally, the programs continue to employ the use of public availability sessions, town hall meetings, and a multitude of media exchanges to solicit and engage the public in regional decision-making processes.

## **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *Will your Regional/Headquarters office have any ongoing mechanisms to share information to external groups regarding environmental justice such as websites, faxback system, printed outreach materials, etc.? If yes, please list and describe. Also please mention the specific stakeholder group(s) which benefit from these outreach mechanisms.*

The Region continues to utilize several mechanisms in sharing environmental justice information to its external groups. One method is through the posting of information on the Region's Environmental Justice website (currently <http://www.epa.gov/region02/community/ej.htm>). Another method involves an active mass-mailing campaign effort. Through the collection of physical and electronic mailing addresses (e.g., Region 2's Community Organization Tracking System), the Region maintains an extensive database of individuals and organizations interested in environmental justice. Also, the Region maintains an e-mail List-Serv whereby on-line readers can receive periodic updates without requesting such information through other options (e.g., letter inquiries, Freedom of Information Act requests, etc.) Further, this effort is greatly increased as the Region's Environmental Justice Coordinator, and both the New Jersey Department of Environmental Protection and New York State Department of Environmental Conservation EJ Coordinators readily communicate information to each of their respective e-mail

groups, thus covering a larger segment of the statewide “universe” of interested parties. Groups which continue to benefit from these activities are community organizations, students, teachers, and members of the general public.

In Winter 2003/2004, the Region is scheduled to release updated webpages to provide environmental justice information to its internal and external stakeholders, via the Intranet and Internet respectively.

#### **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *How will your Regional/Headquarters office identify stakeholders who could benefit from increased awareness about environmental justice and being more engaged in the collaborative problem-solving process?*

Over the years, the Region has developed ties with numerous stakeholder groups in its jurisdiction. Understandably, the more vocal organizations have been successful in promoting their EJ-related issues to our program offices. The challenge though faced was to explore opportunities to reach those communities less-visible and vocal. To accomplish this, we have sponsored various meetings for the purpose of gaining input from these groups. The meetings that we have held have been in the form of roundtable discussions, community dialogues/listening sessions, public meetings, EJ training, and through workshop demonstrations. At these meetings we collect individual/organization contact information, and incorporate it into our internal communication databases.

In addition, the Region maintains an extensive EJ mailing list that includes the names and addresses of many stakeholders in the Region. To ensure that we have not missed a new or unknown organization, we ask recipients of our mailings to pass along the information to their respective contacts interested who are interested in receiving the same.

Finally, through the utilization of computer based GIS applications aimed toward identifying potential EJ communities, the Region can target certain communities and cross-reference the communication databases with addresses captured within a particular boundary. This greatly increases our chances of connecting with residents who live in those communities.

Through the use of these applications, we are able to significantly increase and broaden our interaction among the communities within our jurisdiction.

#### **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *How will your Regional/Headquarters office promote collaborative problem-solving among stakeholders?*

We employ various mechanisms to promote collaborative problem solving among our stakeholders. As in the case of a permit issuance, we highly encourage applicants to reach out, early on in the process, to the residents of the impacted community to provide relevant information concerning the type of facility to be constructed and its intended operation. This practice of early notification and meaningful involvement allows for the applicants to become better educated on the environmental, health and quality of life concerns experienced by the community as well as offers residents the opportunity to educate themselves on the role this facility may impose on them. Another way we promote collaborative problem solving is to recommend to applicants the establishment of “Good Neighbor” arrangements, such as identifying alternate truck routes and periods of operation, fostering community-based surveillance.

In the event of civil enforcement cases, there does exist the opportunity to apply a portion of the stipulated penalties towards a viable supplemental environmental project (SEP) for the benefit of the community. It should be noted that the Region has employed via its Intranet, an SEP Idea Bank in order to allow employees an opportunity to suggest viable projects for consideration in a settlement discussion. The decision, however, to proceed along this route is contingent upon not only the legal or programmatic restrictions that may exist, but how amenable the parties are to resolving the action. As we continue to interact with the regulated community and residents, we plan to investigate the use of alternative dispute resolution and other mediation techniques to foster collaborative problem solving among the parties.

#### **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *Will your Regional/Headquarters office have any special initiatives or provisions to address issues for persons with limited English proficiency? If yes, please describe or attach.*

Yes. The Region has a Translation Policy in place, which identifies particular documents that will be translated from English into other languages spoken in our communities. This policy was implemented as a way of ensuring that members of limited English-speaking communities are able to understand documents that contain general information about EPA programs. The fact that Puerto Rico is within our jurisdiction, along with the multitude of languages spoken in the New York Metropolitan area, was all the reason behind establishing a translation policy for EPA Region 2. The policy, however, does not include the translation of documents that are subject to legal interpretation.

#### **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *In the course of your environmental justice outreach, will your Regional/Headquarters office utilize any informational materials translated in languages other than English? If*

*yes, please list and describe.*

Yes. The Region has available an extensive library of non-English informational materials to provide to interested stakeholders. They include the following:

<b>Como Proteger a los Ninos de las Amenazas Ambientales</b>	<b>Front/Back Card</b>	<b>Office of Children's Health Protection</b>	<b>EPA/100/F-00/008</b>	<b>Spanish English</b>
<b>El Ozono y Su Salud</b>	<b>Brochure</b>	<b>Office of Air and Radiation</b>	<b>EPA-452/F-00-001</b>	<b>Spanish</b>
<b>El Envenenamiento Por El Plomo y Sus Ninos</b>	<b>Brochure</b>	<b>Office of Prevention, Pesticides, and Toxic Substances</b>	<b>EPA747-K-95-001</b>	<b>Spanish</b>
<b>El Smog - A Quien Perjudica? Lo Que Usted Necesita Saber Acerca del Ozono y Su Salud</b>	<b>Booklet</b>	<b>Office of Air and Radiation</b>	<b>EPA-452/K-00-001</b>	<b>Spanish</b>
<b>El Plan Modelo Para La Participacion Publica</b>	<b>Booklet</b>	<b>Office of Enforcement and Compliance Assurance</b>	<b>EPA 300-K-00-001 and EPA 300-K-96-003S</b>	<b>Spanish English</b>
<b>"Me Siento Como Un Pez Sin Agua."</b>	<b>Pamphlet</b>	<b>Ad Council and EPA</b>		<b>Spanish</b>
<b>Learning Cards on Pesticides (e.g., "These pests live on cats and dogs")</b>	<b>5 inch x 7 inch cards</b>	<b>ATSDR</b>		<b>English Spanish</b>

<b>Proteja a Su Familia del Plomo en Su Casa</b>	<b>Booklet</b>	<b>EPA and Consumer Safety Product Commission</b>	<b>EPA747-K-94-001</b>	<b>Spanish</b>
<b>Reduccion de los riesgos de contaminacion por plomo cuando remodela su casa</b>	<b>Booklet</b>	<b>Office of Prevention, Pesticides, and Toxic Substances</b>	<b>EPA747-K-97-002</b>	<b>Spanish</b>
<b>Pesticide Safety BINGO Game Usos y Abusos de los Plaguicidas</b>	<b>BINGO Game Cards Picture Cards Text Cards</b>	<b>EPA Region 6</b>		<b>Spanish</b>
<b>Contribuya a Tener un Hogar Sano</b>	<b>Publication</b>	<b>Home*A*Syst</b>		<b>Spanish</b>
<b>Fundamentos de Principios u Practicas para la Comunicacion sobre Riesgos para la Salud</b>	<b>Publication</b>	<b>ATSDR</b>	<b>1997</b>	<b>Spanish</b>
<b>Fundamentos de Evaluacion para los Programas de Comunicacion de Riesgos a la Salud y Sus Resultados</b>	<b>Publication</b>	<b>ATSDR</b>	<b>1997</b>	<b>Spanish</b>

<b>Declaraciones de Salud Publica: lo que usted necesita saber acerca de las sustancias toxicas que se encuentran comunmente en las sitios de desechos peligrosos del Superfondo</b>	<b>Publication</b>	<b>ATSDR</b>	<b>1990</b>	<b>Spanish</b>
<b>Seguridad Usando Pesticidas - A Guia de Maestros Para Enseñar Conocimientos De Pesticidas</b>	<b>5 GuideBooks + teacher prep</b>  <b>-Pre-K</b> <b>-Grade 1</b> <b>-Grade 2</b> <b>-Grade 3</b> <b>-Grade 4</b>	<b>New Jersey Department of Environmental Protection and Energy</b>	<b>1993</b>	<b>Spanish</b>
<b>Nueva York Nos Necesita Fuertes Como Salir Adelante Despues de Sept. 11<sup>th</sup></b>	<b>Booklet</b>	<b>New York City Department of Health and Mental Hygiene</b>	<b>2001, 2002</b>	<b>Spanish</b> <b>Chinese</b>
<b>Si tiene hijos, que no se acerquen PLOMO NI POR ASOMO!</b>	<b>Pamphlet</b>	<b>New York State Department of Health</b>	<b>1993</b>	<b>Spanish</b>
<b>Programa de Pequenas Concesiones Guia de Solicitud Ano Fiscal ____</b>	<b>Guidance Publication</b>	<b>Office of Environmental Justice</b>	<b>Annually</b>	<b>Spanish</b>

<b>Reconocimiento y Manejo de los Envenenamientos por Pesticidas, 5<sup>th</sup> Edicion</b>	<b>Publication</b>	<b>Office of Prevention, Pesticides, and Toxic Substances</b>	<b>EPA735-R-98-004</b>	<b>Spanish</b>
<b>Humo de segunda mano</b>	<b>Large Pamphlet</b>	<b>Office of Air and Radiation</b>	<b>EPA-402-F-93-004</b>	<b>Spanish Chinese</b>
<b>Seguridad de los Trabajadores Agrícolas: Durante El Uso de Pesticidas</b>	<b>Booklet</b>	<b>EPA Cornell Univ.</b>	<b>EPA GPO:1976 622-585/173</b>	<b>Spanish</b>
<b>Debo comer los peces que yo pesco? Guia para comer en forma saludable, los peces que usted pesca</b>	<b>Pamphlet</b>	<b>Office of Science and Technology</b>	<b>EPA 823-F-98-017 (1997)</b>	<b>Spanish</b>
<b>Como Reducir los Peligros del Plomo al Remodelar Su Casa</b>	<b>Booklet</b>	<b>Office of Prevention, Pesticides and Toxic Substances</b>	<b>EPA 747-R-94-002 (1994)</b>	<b>Spanish</b>
<b>Los “Si” y Los “No” para conservar agua</b>	<b>8.5 in x 11 in sheet</b>	<b>New York City Department of Environmental Protection</b>		<b>Spanish English</b>

#### **EXTERNAL STAKEHOLDER ENGAGEMENT**

- *Are there any specific grant programs for which environmental justice was listed as a funding priority? Please list and describe.*

Previously, two EPA grant programs listed as funding priorities were (1) the State Tribal



Environmental Justice Grants, and the (2) Environmental Justice Small Grants programs.

With respect to the STEJ grants, in 1998 and 1999 respectively, the New Jersey Department of Environmental Protection and the New York State Department of Environmental Conservation were each awarded \$100,000 grants. These funds were provided as “seed monies” to assist each state agency in the development of their own environmental justice programs. Over the years, each state department has accomplished several major activities under these grant projects. For example, personnel were hired as environmental justice coordinators, guidance and proposed rules were drafted and/or recommended for adoption, advisory councils were chartered to provide external input into the crafting of the departments EJ-related materials, and public sessions continue to be held throughout each state. As additional funding becomes available, the Region’s senior management have considered applying these resources towards furthering the integration of EJ in the state environmental regulatory departments.

In regards to the EJ Small Grants programs, the Region believes that a robust community education component is necessary to obtain a diverse selection of projects and applicants for funding consideration. Historically, applicants that have a greater knowledge of the grant regulations and program requirements are at an advantage to be awarded funding for their projects. As such, conducting ongoing workshops will allow the Region to “level the playing field” for a larger group of eligible applicants to apply.

#### **DATA COLLECTION, MANAGEMENT, AND EVALUATION**

- *List your Regional/Headquarters office’s main data sets - the ways in which you collect environmental justice information. Also, describe how this information is utilized by your Regional/Headquarters office (e.g., environmental justice assessment, program tracking/evaluation, etc.).*

The following routes are used to collect environmental justice-related information:

- community dialogue (“EJ listening sessions”)
- public availability sessions
- town hall meetings
- telephone inquiries
- electronic mail inquiries
- incoming letters
- facsimiles
- newspapers (physical and electronic)
- community organization newsletters
- public radio programs
- Freedom of Information Act (FOIA) requests
- NEJAC meetings
- State/local government-sponsored public meetings

In addition, the Region has established a Standard Operating Procedure (SOP) for Handling EJ-related Complaints. Both internal and external correspondence are relayed to the Regional Environmental Justice Coordinator. The system allows for the input of contact information for the inquirer/complainant; the particular issue/program area; date received and a few other trackable fields. Upon logging the matter successfully into the Region's EJ Tracking System, assignments are provided to the respective Division/Branch for response. The EJ Coordinator maintains an archive of EJ inquiries.

## **DATA COLLECTION, MANAGEMENT, AND EVALUATION**

- *Will your Regional/Headquarters office have a method of identifying and highlighting best practices and lessons learned? If yes, please describe.*

In FY2003, the Region initiated a region-wide assessment of its internal EJ program initiatives, activities and products. We have begun the process of surveying regional management and staff to determine the value and effectiveness of our EJ policy guidelines and tools. By taking the opportunity for an internal EJ assessment, it is our desire to capture the experience of "best practices and lessons learned" that undoubtedly would factor in the reshaping of our policy statement, program-specific EJ guidelines, and divisional EJ implementation plans. The Region 2 Environmental Justice WorkGroup, with support from its Senior Management Team, will be charged in continuing this important task in FY 2004.

## **PROFESSIONAL AND ORGANIZATIONAL DEVELOPMENT**

- *Will your Regional/Headquarters office plan to provide training on environmental justice? If yes, please list and describe.*

During the mid/late 1990s, the Region developed and conducted a region-wide environmental justice training to its employees. The full-day training session was geared toward providing participants with the latest EJ developments from a national perspective, regional EJ initiatives underway and/or planned, discussion of prominent state/local/community issues raised involving claims of environmental injustice, the relationship between EJ and Title VI of the 1964 Civil Rights Act, as well as mentioning available federal funding mechanisms to non-profit organizations, universities and local government agencies to address EJ. The total number of Region 2 staff trained amounted to nearly 1,000. In addition to providing the region-wide EJ training, divisional/program EJ training sessions were provided to the technical staff. The focus of this training was to educate technical staff in innovative approaches to address EJ in the context of permitting and enforcement activities.

For the past two years, the Region has supported several staff to serve as National EJ trainers of the EJ Fundamentals Course as developed by the National Environmental Justice Training

Collaborative. Region 2 EJ trainers have presented several modules of the EJ Fundamentals course, as a pilot, to staff in the Region's Caribbean Environmental Programs Division located in Puerto Rico.

With respect to external EJ training, the Region has provided EJ-related training workshops to members of the New York State Department of Environmental Conservation's Environmental Justice Advisory Council, several New York City Environmental Justice community organizations, the National Environmental Justice Advisory Council (NEJAC) Puerto Rico Subcommittee members on a range of EJ-related topics, e.g., the Region 2 Interim Environmental Justice Policy, Elements of a Region 2 Environmental Justice Analysis, and demonstrations of Region 2's GIS-based applications developed to display demographic as well as environmental information to computer users. Following either the implementation of a national EJ guidance or modifications to the Region's Interim EJ Policy, we would consider conducting future internal/external EJ training to interested parties.

Lastly, we are considering the prospect of conducting an EJ train-the-trainer course for interested Regional staff desiring to become EJ Trainers. The EJ Coordinator continues to collaborate with the Office of Personnel Management in identify new employees in need of EJ training.

## **PROFESSIONAL AND ORGANIZATIONAL DEVELOPMENT**

- *What methods will you utilize to promote shared learning, such as best practices and lessons learned among staff? If yes, please list and describe.*

Currently, shared learning is promoted during several venues: the monthly Regional EJ Work Group and Divisional EJ Subgroup sessions. We believe that as our program staff interact on a frequent basis with their respective EJ subgroup members, the opportunity increases for shared learning from actual field experiences - e.g., via inspections. Other avenues we expect to utilize will be through EJ training as well as posting on the Intranet and Internet EJ websites.

## **ENVIRONMENTAL JUSTICE ASSESSMENT**

- *Will your Regional/Headquarters office have a process by which an environmental justice assessment is conducted? If yes, please describe.*

The Region 2 Interim Environmental Justice Policy document includes an extensive guideline for conducting an environmental justice analysis. The applicable sections of the document which describes the elements of the analysis can be viewed at the following website:

<http://www.epa.gov/region02/community/ej/guidelines.htm>

Further, the GIS-based tools which are referenced in the guideline (i.e., the EJ Demographic Screening and the Environmental Load Profile) are available on the Region's Intranet website

which can be uploaded onto each staff's computer desktop. By allowing staff direct access to these computer tools, it facilitates the gathering of demographic and additional environmental and health-related information for use in their respective decision-making processes.

## **ENVIRONMENTAL JUSTICE ASSESSMENT**

- *Will your Regional/Headquarters office rely on any information resources with which to conduct an environmental justice assessment, such as the Environmental Justice Mapper, Environmental Justice Toolkit, etc.? If yes, please list and describe.*

To assist regional managers and staff in identifying whether certain segments of the population may experience a disproportionate share of burden, the Region has developed a series of Geographic Information System (GIS) based computer applications to investigate the demographic makeup of a selected area as well as to "view" where environmental impact/burden may exist. These applications rely on census data, EPA environmental datasets as well as a statistical software program to calculate reference values. These applications are available to staff on the Region's Intranet website. In addition, Regional staff have found the use of the new National EnviroJustice Geographic Assessment Tool to identify noteworthy landmarks (e.g., schools, hospitals, etc.) to gain a greater understanding of the community's quality of life condition. Where consistent health data exists, it too is applied to the EJ assessment to gauge the health condition of a community and its residents. Suitable public health data however is currently limited to those assessments on a municipality and/or county-level. Nevertheless, the Region intends to supplement its own guidelines and assessment tools with additional resource tools as referenced in the Agency's EJ Toolkit for its own EJ assessments.

## **PROGRAM EVALUATION**

- *Will your regional/Headquarters office have any performance measures specifically related to environmental justice? If yes, please describe.*

The actions described in the current Region 2 Strategic Plan provides the basis for performance measurement by Senior Managers in meeting the overall goal of integrating environmental justice into our day-to-day operations. The performance measures include the volume of regional environmental justice analyses performed, the number of external EJ-related inquiries received and resolved, the dissemination of timely information among our internal staff, headquarters, and to the public, and the development and implementation of tools necessary to perform the varying aspects of the Region 2 EJ program (e.g., checklists; computer applications; EJ forums, etc.)

## **PROGRAM EVALUATION**

- *Will your Regional/Headquarters office conduct any needs assessments, reports or other*

*documents (produced internally or through a contract) to identify, quantify, and evaluate methods to strengthen and/or improve your environmental justice program? If yes, please list and describe.*

Yes, the Region is scheduling two major assessments concerning the EJ program. The first involves the revisiting of the divisional EJ implementation plans to determine their current effectiveness in applying the guidance as referenced in the Region's Interim Environmental Justice Policy. This practice will also involve the identification and selection of regional personnel who will be responsible in serving on this task as well as to assist divisional managers in its implementation. Following this evaluation process, the Region will undertake in 2004 an assessment of the Interim EJ Policy. By cross-referencing the policy and guidance with the Agency's Strategic Plan, divisional input on the success of implementing EJ in the media programs, as well as incorporating updated needs of our stakeholders, will we be closer to aligning our EJ policies on both the regional and national levels.

## **PROGRAM EVALUATION**

- *How will your region/Headquarters highlight the accomplishments and results from your Environmental Justice Action Plans?*

In development of Region 2's FY2004 and 2005 EJ Action Plan, performance measurement is a crucial component. Performance measurement is the ongoing monitoring and reporting of program accomplishments and progress toward established goals. As duly noted by the National Office of Environmental Justice, "...performance measurement is an integral part of an EJ Action Plan. Further, it is an inherent programmatic function to gauge the efforts towards achieving the overarching goal for the Agency's EJ program."

As the Region fully supports and promotes the integration of EJ into our policies, programs and activities, we will achieve this goal by focusing, at a minimum, our efforts in the following seven key objective areas: (1) Risk Reduction / Protect Environment and/or Public Health; (2) Outreach and Communication; (3) Training; (4) Federal, State, Tribal, and Local Government Coordination; (5) Grants and Contracts Administration; (6) Environmental Justice Assessments; and (7) Internal Integration Mechanisms. The accompanying matrix document identifies the specific activities Region 2 will undertake to achieve these objectives in FY2004 and 2005.

Lastly, the Region's Office of the Regional Administrator will conduct semi-annual assessments of its EJ Action Plan. Assessment reports will be provided to the senior management staff for dissemination within their respective divisions. In addition, anticipated shortfalls and/or modifications will be addressed following the semi-annual assessment, and will result in an updated matrix chart. The Region will post its EJ Action Plan accomplishments and results, annually, on the Region's Internet EJ website.

**EPA Region 2  
Environmental Justice  
Strategies and Activities  
(Matrix)**

**EPA Region 2  
FY04-05 Environmental Justice Action Plan  
Matrix**

**Objective 1. *Risk Reduction / Protect Environment and Public Health*** - To ensure equal implementation of environmental laws to achieve significant risk reduction which will improve the environment and/or public health of affected communities.

Activity	Output(s)	Outcome(s)	Resources (FTE/\$)	Lead Contact(s)
Conduct enforcement and compliance assistance actions in areas with high emission levels, including areas located in minority and/or low-income communities	By Sept 2005, a multi-media concerted approach, involving enforcement and compliance actions, are undertaken in one affected community	Emissions are reduced in affected communities	1.0 FTE	Derval Thomas (212) 637-4028
Perform air quality assessments in permit actions, including areas located in minority and/or low-income communities	By Sept 2004, assess disparate or adverse impacts in at least (3) permit actions  By Sept 2005, assess disparate or adverse impacts in at least (1) permit action	Risks due to emissions/impacts are reduced in affected communities.	0.50 FTE	Annamaria Coulter (212) 637-4016

**Objective 2. Outreach and Communication** - To provide opportunities for meaningful involvement and ensure effective communication between the Agency decisionmakers and stakeholders, including all affected communities.

Activity	Output(s)	Outcome(s)	Resources (FTE/\$)	Lead Contact(s)
Conduct EJ Community Dialogues (aka listening sessions) on selected environmental/ health topics, involving state and local governmental agencies	By Sept 2004, (1) listening session is conducted  By Sept 2005, (2) listening sessions are conducted	(a) Communities are provided opportunities to dialogue with decisionmakers, in a proactive manner, concerning governmental regulatory activities affecting their communities  (b) Increased community awareness of EPA and state regulatory activities	2.0 FTE	Terry Wesley (212) 637-5027
Work with OSWER (EPA-HQ) to conduct Community Revitalization Roundtables	By Sept 2004, one (1) Community Revitalization Roundtable is completed	Community capacity is enhanced as local officials and citizens gain the tools and training necessary to meet the revitalization challenges of cleanup	0.25 FTE	Larry D'Andrea (212) 637-4214  Daniel Forger (212) 637-4402



Maintain the Puerto Rico Subcommittee (PRS) of the National Environmental Justice Advisory Council	By FY 2004, recommend (8) members to the NEJAC-PRS  By FY2005, hold regular business worksessions and (1) public meeting with the NEJAC-PRS	Increased opportunity for external stakeholder involvement in the Region's decision-making processes affecting Puerto Rico	0.50 FTE	Teresita Rodriguez (787) 977-5864
Develop Region 2 Environmental Justice Internet Webpage	By Sept 2004, the Region 2 EJ website will be posted on the Internet	Increased community awareness and understanding of environmental and/or public health related information and resources	0.25 FTE	Tasha Frazier (212) 637-3861
Prepare public notices in English as well as other language(s) where a bilingual community is affected	By Sept 2005, at least four (4) public notices will appear in newspapers in language(s) other than English	By increasing their opportunity to participate, communities are more meaningfully-involved via the public participation process concerning EPA permitting action(s)	0.15 FTE	Annamaria Coulter (212) 637-4016
Conduct public availability sessions (in addition to public hearings) during public comment period of a proposed permit action.	By Sept 2005, conduct at least two (2) public availability sessions	Community knowledge of permit actions are enhanced via the exchange of information during an informal setting involving the decisionmakers.	0.50 FTE	Annamaria Coulter (212) 637-4016

**Objective 3. Training** - To provide training for EPA managers and staff and others to enable them to incorporate environmental justice considerations into their decisionmaking process.

Activity	Output(s)	Outcome(s)	Resources (FTE/\$)	Lead Contact(s)
Conduct the Fundamentals of Environmental Justice training course for EPA Region 2 staff	(a) By Sept 2004, approximately (30) Region 2 employees completed the basic training (b) By Sept 2005, approximately (20) Region 2 employees completed the basic training	Regional employees learn to integrate EJ considerations into daily responsibilities	0.25 FTE	Terry Wesley (212) 637-5027  Dana Williams (212) 637-3531
Conduct EJ Training course to state employees	By Sept 2005, approximately (50) state employees completed the basic training	State employees learn to integrate EJ considerations into state policies and daily responsibilities	0.15 FTE	Terry Wesley (212) 637-5027  Dana Williams (212) 637-3531
Conduct EJ Training Course for local government employees	By Sept 2004, approximately (30) local government officials completed the basic training	Local government officials learn to integrate EJ considerations into local government policies and daily responsibilities	0.15 FTE	Terry Wesley (212) 637-5027  Dana Williams (212) 637-3531
Conduct EJ Training Course for EPA Permit Writers	By Sept 2005, approximately (30) Region 2 staff will have completed the training course	Permit Writer's will be better informed on how to include permitting conditions which address EJ concerns	0.25 FTE	Annamaria Coulter (212) 637-4016

**Objective 4. Federal, State, Tribal and Local Government Coordination** - To ensure effective coordination across all levels of government to address the environmental and public health concerns of affected communities.

Activity	Output(s)	Outcome(s)	Resources (FTE/\$)	Lead Contact(s)
Work with the Interagency Working Group on EJ and state/local government agencies to establish and coordinate the collaborative partnerships	By Sept 2005, (2) collaborative partnerships have completed the two-year national program, and can sustain their partnerships	Collaborative partnerships in 2 affected communities helped to build community capacity for addressing local environmental and/or public health issues	0.50 FTE	Larry D'Andrea (212) 637-4314 <i>Magic Marker site redevelopment (Trenton, NJ)</i>  Jose Font (787) 977-5815 <i>Empowering Communities - small drinking water systems in rural PR</i>
Work with the FY 2004 EJ Collaborative Problem Solving grant recipient(s) to establish and coordinate partnerships on multi-governmental levels	By Sept 2007, (1) grant recipient will have completed the project, and can sustain its partnerships	Collaborative partnerships in 1 affected community helped to build the communities' capacity for addressing local issues	0.25 FTE	Terry Wesley (212) 637-5027

**Objective 5. Grants and Contracts Administration** - To promote effective and efficient management of all grants and contracts to ensure that the environmental and public health concerns of affected communities are addressed.

Activity	Output(s)	Outcome(s)	Resources (FTE/\$)	Lead Contact(s)
Award EJ small grants to local community groups	By Sept 2004, \$50,000 is awarded to (2) community groups for multi-media research projects  By Sept 2005, \$50,000 is awarded to (2) community groups	Communities gain financial assistance in building their capacity to address local environmental and health issues	\$50,000  \$50,000 (FY05 projection)	Terry Wesley (212) 637-5027
Conduct Grant Writing workshop to local communities for EJ Small Grants Program	By Sept 2005, approximately (50) community representatives will receive the grant writing workshop	Communities develop capacity to apply successfully for EPA grant funded community-based programs	0.25 FTE	Tasha Frazier (212) 637-3861
Award Regional Discretionary Multi-Media Cooperative Agreement(s) to a community organization in St. Croix	By Sept 2004, \$60,000 is awarded to one (or two) community-based organizations	Local capacity is strengthened, thus allowing for greater and more active participation on decision matters involving an affected community's quality of life	\$60,000	Jim Casey (340) 714-2333

**Objective 6. *Environmental Justice Assessment*** - To conduct an assessment of environmental justice indicators within affected communities as part of the decisionmaking process.

<b>Activity</b>	<b>Output(s)</b>	<b>Outcome(s)</b>	<b>Resources (FTE/\$)</b>	<b>Lead Contact</b>
Conduct an assessment of areas with high emission levels and surrounding affected communities	By Sept 2004, (1) assessment is completed	Assessment will lead to enforcement and compliance actions in affected communities	0.10 FTE	Derval Thomas (212) 637-4028
Perform an air quality assessment (using environmental indicators and regional EJ-GIS applications) in at least (4) permit actions involving minority and/or low-income communities.	By Sept 2004, assess disproportional or adverse impacts in at least (3) permit actions  By Sept 2005, assess disproportional or adverse impacts in at least (1) permit action	Assessment results will identify potential concerns to decisionmakers so as to consider additional mitigating measures to reduce risks associated with emissions/ impacts to the affected communities	0.50 FTE	Annamaria Coulter (212) 637-4016

**Objective 7. Internal Integration** - To develop, implement and maintain organizational and/or programmatic processes to institutionalize environmental justice within EPA regional programs, plans, and activities.

Activity	Output(s)	Outcome(s)	Resources (FTE/\$)	Lead Contact(s)
Develop Divisional EJ Implementation Plans	By FY2005, EJ Implementation Plans will be developed for all Divisions.	Implementation Plans will identify the processes each Division will employ to integrate EJ-related efforts within its respective programs.	2.0 FTE	Regional EJ Work Group Representatives (see appendix for listing of divisional representatives)
Develop Region 2 Environmental Justice Intranet webpage	By FY2005, the Region 2 EJ Intranet webpage will be posted	Increased staff awareness of EJ-related information and resources, including applications/tools to perform analyses	0.15 FTE	Tasha Frazier (212) 637-3861
Incorporate EJ considerations in the annual workplan process	By FY 2005, annual workplans will be in place between the Division of Environmental Science and Assessment (DESA) and other Divisions which will include EJ considerations	Integration of EJ considerations involving DESA activities on an annual basis	0.10 FTE	Randy Braun (732) 321-6692

## Appendix 1

### EPA Region 2 Environmental Justice Action Plan Reference Documents

<u>Date</u>	<u>Item</u>
09/93	Region 2 Environmental Justice Charter
02/94	Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low Income Populations
05/94	Region 2 Environmental Justice Workgroup (Regional Order 4700.6)
10/94	Position Description for Region 2 Environmental Justice Coordinator
10/94	Region 2 Environmental Justice Operating Plan
07/95	Region 2 Model Environmental Justice Divisional Plan
09/95	Region 2 Environmental Justice Tracking System
03/96	Water Management Division EJ Plan
04/96	Environmental Justice Implementation Plan (OECA/OEJ publication)
06/96	Caribbean Environmental Protection Division EJ Plan
07/96	Air & Waste Management Division EJ Plan
07/96	Office of Regional Counsel EJ Plan
07/96	Division of Environmental Science and Assessment EJ Plan
07/96	Emergency and Remedial Response Division EJ Plan
07/96	Standard Operating Procedure for EJ Matters in the Region (memorandum)
11/96	Model Plan for Public Participation - developed by NEJAC (OECA/OEJ publication)

## EPA Region 2 Environmental Justice Action Plan Reference Documents (cont'd)

<u>Date</u>	<u>Item</u>
12/97	Policy on Translations and Interpretations (Regional Order 1500.1)
09/00	EPA Strategic Plan
12/00	Interim Environmental Justice Policy
01/01	Region 2 Strategic Plan
02/01	Environmental Justice Demographic Tool (a GIS computer application)
08/01	Agency's Commitment to Environmental Justice (Administrator memorandum)
11/01	NEJAC Strategic Plan (OECA/OEJ publication)
12/01	Environmental Justice in EPA Permitting: Reducing Pollution in High-Risk Communities is Integral to the Agency's Mission (NAPA publication)
05/02	Environmental Load Profile w/ Indicators: Air Toxics; TRI Air Emissions; and Facility Density (a GIS computer application)
06/02	EPA Action Plans to Integrate Environmental Justice: Templates and Instructions (Office of Environmental Justice)
09/02	NEJAC Puerto Rico Subcommittee Strategic Plan:2002-2004
06/03	FY04-05 EJ Action Plans and FY03 Progress Report - Instructions & Templates



## Appendix 2

### Regional Environmental Justice Workgroup Members and Environmental Justice Divisional Contacts

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**Disclaimer:** *This Region 2 EJ Action Plan is intended to improve the internal management and staff of EPA Region 2 with respect to environmental justice. This Plan shall not be construed to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or by equity by a party against EPA or any right to judicial review.*